



Attorney Docket: 65043-0038

Ho
Reconsideration 3711
E. Zimmerman

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Shanahan

Group Art Unit: 3711

Serial No.: 09/888,145

Examiner: Mendiratta

Filed: 06/22/2001

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TECHNOLOGY CENTER R3700

For: A CARD GAME WITH PREDETERMINED HANDS IN A FORTUNE COOKIE

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

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Julie A. Barber

Date: February 10, 2003

Commissioner of Patents
Washington, D.C. 20231

REQUEST FOR RECONSIDERATION

Dear Sir:

This is a response to the Office action dated December 12, 2002 (paper no. 5).

Applicant thanks Examiner Mendiratta for the courtesies extended to Applicant's representatives during the February 4, 2003 telephone conference. The sum and substance of the telephone conference is incorporated into the following Remarks.

REMARKS

Claim Rejections Under 35 U.S. C. § 103

Claims 1, 3-6, 8, 10, 11, 13 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Mueller (U.S. Patent No. 3,770,278). The Examiner argues that the Mueller patent teaches a strip of paper in a fortune like cookie having printed matter. The Examiner further asserts that the only difference between applicant's strip and Mueller is the